IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	§	Filed: June 20, 2003
Albornoz et al.	§	
	§	Group Art Unit: 2166
Serial No.: 10/600,021	§	
	§	Examiner: Khanh B. Pham
Confirmation No.: 8486	§	

For: UNIVERSAL ANNOTATION SERVER AND INTERFACE

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
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June 25, 2008   /Mayra Bravo/
Date   Mayra Bravo

REPLY BRIEF

Dear Sir:

Applicants submit this Reply Brief to the Board of Patent Appeals and Interferences in response to Examiner's Answer mailed on May 14, 2008. While Applicants' maintain each of the arguments submitted in Applicants' previously submitted Appeal Brief, Applicants make the following further arguments in light of the Examiner's Answer.

ARGUMENTS

1. ***Gupta* Does Not Anticipate Claims 1, 6-15, 18-25, 27, 30, 32-38 under 35 U.S.C. 102(e).**

The Applicable Standard

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Examiner's Arguments

On pages 10-17 of the *Examiner's Answer*, the Examiner provides a rebuttal with respect to the *Applicant's Appeal Brief*, and further elaborates on previously submitted arguments, suggesting that Applicants' arguments are not persuasive. In response, Applicants respectfully maintain that each of the arguments presented in *Applicants' Appeal Brief* are correct, and further provide the following arguments in response to the Examiner's Answer.

Applicants' Response to Examiner's Arguments

Regarding claim 1, Applicants submit that *Gupta* does not disclose "providing a set of annotation structures, each associated with one or more of the annotatable data objects and each defining attributes of one or more user interfaces for manipulating annotations for the annotatable data objects, wherein the one or more user interfaces

comprise at least one graphical user interface, based on an associated annotation structure; and providing one or more transforms for use in transforming annotations structures into graphical user interfaces."

On pages 12-14 of the *Examiner's Answer*, the Examiner argues the *Gupta* discloses a set of annotation structures at Figures 4 and 7. Specifically, the Examiner argues:

> *Gupta* teaches at Fig. 7 a graphical user interface for creating [a] new annotation comprising multiple fields, <u>wherein the graphic user interface is generated based upon "annotation entry" data structure as shown in Fig. 4</u>." Each of the field[s] in the user interface 280 corresponds to a field in the "Annotation Entry" 180. *See Examiner's Answer*, page 12.

Thus, the Examiner concludes that because each field of the user interface 280 corresponds to a field in the data structure shown in Figure 4, the <u>graphic user interface is generated based upon the data structure</u> (*i.e.* defines the attributes of the GUI). However, Applicants submit that the data structure simply stores an annotation entry (in particular, data associated with a particular annotation entry) entered via a GUI to create an annotation.

As stated in *Gupta*, "FIG. 4 shows an exemplary structure for an <u>annotation entry</u> 180 that is maintained by annotation server 10." *See Gupta*, col. 7, lines 28-30. Each of the fields of the <u>annotation entry</u> 180 merely contains information regarding an annotation that has been created by a user. For example, the "[a]uthor field 182 contains <u>data identifying the user who created annotation entry 180</u>". *See Gupta*, col. 7, lines 40-42. The "[c]reation time field 188 contains <u>data specifying the date and time at which annotation entry 180 is created.</u>" *See Gupta*, col. 8, lines 20-21. The "[t]itle field 190 contains data representing a title by which the annotation represented by annotation entry 1180 is identified." *See Gupta*, col. 8, lines 29-31. Thus, the data structure simply acts as a storage structure for data associated with a <u>created annotation</u>, and in no way is indicative of how a GUI is generated.

On pages 14-15, Examiner further argues that *Gupta* teaches that "annotation server 10 of Fig. 3 supports read and write access controls, allowing the creator of the set to identify which users are able to read and/or write to the <u>annotation set</u>. In this

embodiment, only those sets for which the user has write access can be entered as set identifier 282." This portion of *Gupta* is simply directed to defining the read/write accessibility of an annotation set (*i.e.* a classification of an annotation) for a newly-created annotation. As stated in col. 17, lines 46-51, the read and write security allows a creator of a set "to identify which users are able to read and/or write to the annotation set. In this embodiment, only those sets for which the user has read access are displayed in selection list 426." *See Gupta*, col. 17, lines 47-51. Thus, this feature simply limits which sets are available for a user to access/modify, and does not define attributes of a user interface that are available to a user via a GUI, as suggested by the Examiner.

Further, assuming, *arguendo,* that limiting which sets are available to a user defines an attribute of a user interface, nowhere is it stated in *Gupta* that the designation of a set being either readable or writeable is defined by the annotation entry data structure. *Gupta* simply states that "[In] one embodiment . . . an annotation server 10 . . . supports read and write access controls." Thus, *Gupta* is silent in regard to how the read and write access controls are implemented.

Therefore, Applicants submit that that *Gupta* does not disclose "providing a set of annotation structures, each associated with one or more of the annotatable data objects and each defining attributes of one or more user interfaces for manipulating annotations for the annotatable data objects, wherein the one or more user interfaces comprise at least one graphical user interface, based on an associated annotation structure; and providing one or more transforms for use in transforming annotations structures into graphical user interfaces."

Regarding claims 15, 25 and 30, Applicants respectfully maintain the arguments presented in *Applicants' Appeal Brief* are correct.

Accordingly, Applicants respectfully request the rejection to claims 1, 15, 25, 30, and the claims that depend therefrom be reversed and the claims be allowed.

2.   *Gupta*, in view of *Kadel*, Does Not Render Claim 5 Obvious under 35 U.S.C. 102(e).

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Gupta* in view of *Kadel*.

Claim 5 depends from claim 1, which is rejected in view of *Gupta* and is believed to be allowable for the reasons given above. Therefore, claim 5 is also believed to be allowable. Accordingly, Applicants respectfully request the rejection be reversed and the claim be allowed.

CONCLUSION

The Examiner errs in finding that:

1.   Claims 1, 6-15, 18-25, 27, 30 and 32-37 are anticipated by *Gupta*; and

2.   Claim 5 is unpatentable over *Gupta* in view of *Kadel.*

Withdrawal of the rejections and allowance of all claims is respectfully requested.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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